

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

## **Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendants' motions to dismiss for lack of subject matter jurisdiction and failure to state a claim and the memorandum and recommendation entered by the United States Magistrate Judge to which plaintiff timely objected and defendants responded.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered November 30, 2012, and for the reasons set forth more specifically therein, that the defendants' motions to dismiss are granted. The plaintiff shall have and recover nothing from this action.

**This Judgment Filed and Entered on November 30, 2012, and Copies To:**

Michael H. McGee (via U.S. Mail) 1225 Estates Avenue, #3109, Charlotte, NC 28209  
David Richard Johnson (via CM/ECF Notice of Electronic Filing)

November 30, 2012

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

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(By) Christa N. Baker, Deputy Clerk

